

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In Re Application of:)	
Eugene Amdur, et al.)	
)	Art Unit 2134
Serial No.: 09/552,345)	
)	
Confirm. No.: 3244)	
)	
Filed: April 19, 2000)	Examiner
)	Ellen C. Tran
For: Computer System Security)	
System)	

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Commissioner for Patents
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REPLY BRIEF PURSUANT TO 37 C.F.R. § 41.41

Sir:

The Appellants hereby submit their Reply Brief pursuant to 37 C.F.R. § 41.41 concerning the above-referenced Application. The Reply Brief is in response to the Examiner's Answer ("Answer") dated September 14, 2006.

STATUS OF CLAIMS

Claims 1- 63 are pending in the Application.

Claims rejected: 25-30, 45, 54 and 55

Claims allowed: none

Claims confirmed: none

Claims withdrawn: 1-24, 31-44, 46-53 and 56-63

Claims objected to: none

Claims canceled: none

Appellants appeal the rejections of claims 25-30, 45, 54 and 55. These claim rejections were the only claim rejections present in the Office Action ("Action") dated March 1, 2006 which re-opened prosecution after Appellants' first appeal to the Board. Claims 25-30, 45, 54 and 55 have been rejected at least twice.

(vi) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The grounds to be reviewed in this appeal are:

whether Appellants' claims 25, 26, 27, 29, 54 and 55 are unpatentable under 35 U.S.C. § 103(a) over Flint, et al., U.S. Patent No. 6,453,419 ("Flint"), in view of Freund, U.S. Patent No. 5,987,611; and

whether Appellants' claims 28, 30 and 45 are unpatentable under 35 U.S.C. § 103(a) over Flint in view of Freund and further in view of Wiegel U.S. Patent No. 6,484,261.

ARGUMENT

Appellants' Supplemental Appeal Brief ("Appeal Brief") filed on May 31, 2006 is incorporated herein by reference.

The following reply is directed to the Answer. However, even though the present reply has been organized in a manner which addresses issues and arguments presented in the Answer, Appellants do not waive their right to have all of their separately argued claims in the Appeal Brief be considered independently of each other by the Board. If the Board has an unwritten policy which considers the format of the present Reply Brief to be a waiver of Appellant's right to have each separately argued claim in the Appeal Brief be independently considered by the Board, then Appellants respectfully request that the Board so notify Appellants and provide an opportunity for Appellants to submit a revised Reply Brief.

Response to Arguments in Answer

The Answer includes a "(9) Grounds of Rejection" section beginning on page 3. All of the grounds of rejection included in this section of the Answer are substantially similar to those previously presented in the Office Action dated March 1, 2006. Therefore please refer to Appellants' previous arguments in the Appeal Brief regarding all the issues of record.

In addition, beginning at the bottom of page 8 of the Answer, there is a section labeled **"(10) Response to Arguments"** which presents additional arguments and clarifications in response to a number of arguments made in Appellants' Appeal Brief. Appellants respectfully submit that the Examiner's responses in the Answer to Appellants' arguments in the Appeal Brief do not rebut the numerous deficiencies in the rejections pointed out in Appellants' Appeal Brief.

The Office has again failed to establish where each of the recited elements, features, relationships pointed out in the Appeal Brief as missing in the applied art are found in the prior art. Also, the applied references do not include a prior art teaching, suggestion, or motivation to combine the references in the manner alleged in the Answer. Therefore all of the rejections of claims 25-30, 45, 54 and 55 should be reversed.

In addition, each of the responses in the Answer to Appellants' referenced arguments are discussed below.

Appellant's referenced first argument with respect to all the pending claims

Appellants reaffirm their referenced first argument that the Office has not shown a specific prior art teaching suggestion or motivation to produce the claimed combinations.

In response, the Answer only repeats the previously referenced portions of Freund found at column 22, lines 53-59, and column 7, lines 17-24. These referenced portions of Freund fail to show any prior art teaching, suggestion, or motivation to modify either Flint or Freund to include the recited features in the independent claims 25, 29, and 54 directed to a graphical user interface that displays nodes in a grid corresponding to access policies, which nodes are aligned with corresponding respective user labels on a first axis and resource labels on a second axis of the grid. Nowhere do Freund or Flint provide any motivation to produce nodes corresponding to access policies which are aligned with these specifically recited labels on the first and second axes of a grid.

Further, the portions of Freund referenced in the Answer teach away from the features recited in the independent claims, by teaching a need to use a tool bar (605) to select "which user

the system should display information for" (Column 22, lines 54-55). Such one-at-a-time selection of users with a tool bar teaches away from displaying the recited "user labels" (plural) with each user label labeling nodes aligned relative to the first axis of the grid.

A reference teaching away from the recited invention does not support *prima facie* obviousness. It is improper to reconstruct the invention from the disclosure of the Applicants. An obviousness rejection cannot be based on a combination of features in references if making the combination would result in destroying the utility or advantage of the device shown in the prior art references. Note *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1598-99 (Fed. Cir. 1988).

For these additional reasons, Appellants respectfully submit that the 35 U.S.C. § 103 (a) rejections with respect to claims 25-30, 45, 54 and 55 should be reversed.

Appellant's referenced second argument with respect to independent claim 25 (and independent claims 29 and 54)

Appellants reaffirm their referenced second argument that Freund does not disclose or suggest that the tree-structures of Freund ever have an organization which would enable nodes in the tree-structure to have corresponding user labels and resource labels on axes of the grid.

In response, the Answer references Figures 6A through 6E and 7A through 7K of Freund and Figures 4, 5, 6A-6D, 7, and 8 of Flint. Appellants disagree that these Figures disclose or suggest the features recited in the claims.

For example, with respect to the independent claims 25, 29, and 54, nowhere does Freund disclose or suggest a grid comprising nodes which are labeled along a first axis with user labels and are labeled on a second axis with resource labels. Rather, the nodes taught in Freund (e.g. application (611) nodes and process (612) nodes) are only represented by icons and descriptive

text on the node itself. The application panel (610, 610a) does not show user labels which label nodes aligned relative a first axis of a grid and does not show resource labels which label the nodes aligned relative a second axis of the grid.

In addition, the independent claims specifically recite that the nodes in the grid, corresponding to access policies for the defined users and defined services and resources, correspond to the user and resource labels. Nowhere does Freund teach or suggest that the nodes in the tree-structure of the application panel (610, 610a) correspond to access policies. Rather such nodes correspond to applications and associated processes of the applications. Freund shows lists of "access rules" in a separate user interface or "wizard" (700) (Figures 7A-K; Column 24, lines 16-20) and not as nodes as recited in the claim.

Figure 7A of Freund shows an interface (700) that displays a listing of access rules (Column 24, lines 40-44). For a selected access rule (723), the interface displays detailed information about the rule in a details panel (730). However, nowhere do Figures 7A-K of Freund disclose or suggest that such rules are ever displayed as nodes in a grid. Further, nowhere does Freund disclose or suggest displaying user labels on a first axis of a grid which label the access rules aligned relative to a first axis or displaying resource labels on a second axis of the grid which label the access rules aligned relative to the second axis. Thus, nowhere does Freund disclose or suggest displaying access rules for defined users and defined services and resources on a grid in alignment with their corresponding respective user and resource labels on the axes of the grid.

In addition, nowhere do the GUIs shown in Figures 4, 5, 6a-6d, 7, and 8 of Flint show grids with these recited features. These Figures in Flint show decision trees which do not

include user or resource labels on axes of a grid. Also, these Figures in Flint do not show or suggest that the displayed decision trees even have an organization which would enable nodes in the decision trees to have corresponding user labels and resource labels on axes of the grid.

As shown in Figure 6a of Flint, a square icon (102) is a decision node which checks a connection request to determine if the request is accessing permitted IP addresses or hosts. If so, control moves to Allow node 104. If not, control moves to Deny node 106 (Column 20, lines 30-34). As shown in Figure 6b of Flint, the decision tree may include a "user authentication filter" node (108). Also as shown in Figure 6c the decision tree may include a "user/group decision node" (110) (Column 20, lines 36-47).

Flint does not disclose or suggest a grid comprising nodes which are labeled along a first axis with user labels and are labeled on a second axis with resource labels. Rather, the nodes taught in Flint (e.g. user/group decision node 110, deny node 112, and smart filter 114) are only represented by icons. Nowhere in Figures 4, 5, 6a-6d, 7, and 8 of Flint are there shown user labels along one axis or resource labels along another axis which correspond to the nodes of Flint's decision tree.

In addition, the independent claims specifically recite that the nodes in the grid, corresponding to access policies for the defined users and defined services and resources, correspond to the user and resource labels. Nowhere does Flint (or Freund) teach or suggest that it would be even possible to add such user labels and resource labels for purposes of labeling the node icons in Flint. For example, nowhere does Flint disclose or suggest that any of the node icons aligned along a vertical axis (e.g. icons 102, 110, 108, 104 in Figure 7) or a horizontal axis

(e.g. icons 110, 120, 112 in Figure 7) correspond to a common user on one axis or a common resource on a second axis.

For these additional reasons, Appellants respectfully submit that the 35 U.S.C. § 103 (a) rejections with respect to claims 25-30, 45, 54 and 55 should be reversed.

Appellants' referenced third argument with respect to independent claim 25 (and independent claims 29 and 54)

Appellants reaffirm their referenced third argument that the application panel (610, 610a) shown in Figures 6A And 6B of Freund does not show user labels which label nodes aligned relative a first axis of a grid and resource labels which label the nodes aligned relative a second axis of the grid. In response, the Answer states that "a GUI is a grid with a first axis and a second axis the labels are in respect to these axis's". However, regardless of whether it is known in the prior art that a GUI may include a grid with labels, the applied references still do not disclose or suggest the specific arrangement of nodes and labels on a grid as recited in the claims. For these additional reasons, Appellants respectfully submit that the 35 U.S.C. § 103 (a) rejections with respect to claims 25-30, 45, 54 and 55 should be reversed.

Appellant's referenced fourth argument with respect to independent claim 25 (and independent claims 29 and 54)

Appellants reaffirm their referenced fourth argument that nowhere does Freund teach or suggest that the nodes in the tree-structure of its application panel (610, 610a) correspond to access policies. As discussed previously the nodes in Freund's tree-structure correspond to

applications and associated processes of the applications. Nowhere does Freund teach or suggest that such nodes in the application panel (610,610a) may correspond to access policies.

In response, the Answer refers to column 23, line 65, to column 24, line 15, of Freund. However, this portion of Freund corresponds to a discussion of how access rules can be created. This portion of Freund says nothing about displaying access rules as nodes in a GUI.

For these additional reasons, Appellants respectfully submit that the 35 U.S.C. § 103 (a) rejections with respect to claims 25-30, 45, 54 and 55 should be reversed.

Appellant's referenced fifth argument with respect to independent claim 25 (and independent claims 29 and 54)

Appellants reaffirm their referenced fifth argument that the listing of access rules in the interface (700) shown in Figure 7A of Freund does not disclose or suggest displaying user labels on a first axis of a grid which label the access rules aligned relative to a first axis, and does not disclose or suggest displaying resource labels on a second axis of the grid which label access rules aligned relative to the second axis.

In response, the Answer argues that the references as applied should be looked at in combination. The Answer also refers to column 26, lines 18-30, of Freund. However, even if the applied references can be combined, all of the applied references (including column 26, lines 18-30, of Freund) fail to disclose or suggest displaying access policies as nodes in a grid which are labeled in the manner recited in the claims. For example, column 26, lines 18-30, of Freund refers to Figure 7F which shows a wizard dialog (740d) for including or excluding users or items from a "list" (763), which list will be associated with a new rule. The linear listing of items in the "list" (763) of Figure 7F does not correspond to user labels on one axis and resource labels on

another axis which label access policy nodes aligned relative to a first axis and second axis of a grid.

For these additional reasons, Appellants respectfully submit that the 35 U.S.C. § 103 (a) rejections with respect to claims 25-30, 45, 54 and 55 should be reversed.

Appellant's referenced sixth argument with respect to independent claim 25 (and independent claims 29 and 54)

Appellants reaffirm their referenced sixth Argument that the Action relies on improper conclusory statements such as (with respect to claim 54) "the grid like appearance claimed is a common display in spreadsheet database applications".

In response, the Answer argues that Freund shows that the application can utilize spreadsheet and database applications at column 7, lines 17-29. However, regardless of whether one or more features of Freund can be applied to spreadsheets or database applications, nowhere does Freund suggest how this can be done. Considering that Freund is directed to managing access to applications, column 7, lines 17-29, appears to only suggest that the methods and systems discussed in Freund can be used to manage access to database and spreadsheet applications.

Further, even if the Office regards a spreadsheet or a database as inherently showing an example of a grid, such a teaching of a grid does not disclose or suggest the combination of features recited in the claims. Combining spreadsheets or databases with the teachings of Freund and Flint still does not provide a specific prior art teaching suggestion or motivation to display access policies as nodes in a grid which are labeled in the manner recited in the claims.

For these additional reasons, Appellants respectfully submit that the 35 U.S.C. § 103 (a) rejections with respect to claims 25-30, 45, 54 and 55 should be reversed.

Appellant's referenced seventh and eighth arguments with respect to independent claim 25 (and independent claims 29 and 54)

Appellants reaffirm their referenced seventh argument that a combination of Flint and Freund (at best) would only produce a system for implementing a security policy for applications on a client using interfaces (600, 600a) which list applications and processes and/or an interface (700) which lists access rules. Also, Appellants reaffirm their referenced eighth argument that the applied references do not disclose or suggest each of the features and relationships recited in claim 25 (and independent claims 29 and 54), and the Office has not established *prima facie* obviousness. In addition, Appellants reaffirm that the applied references do not include a prior art teaching, suggestion or motivation for combining features of the references so as to produce Appellants' invention.

In Response, the Answer states that the GUI claimed is obvious in both references in view of the Figures in Flint and Freund. Also, the Answer asserts that Appellants' Figure 5 is similar to Freund, and Appellants' Figure 10 is similar to Flint and Freund. Appellants disagree.

Regardless of whether Appellants' Figure 10 is similar to the drawings in either Flint or Freund, the independent claims 25, 29 and 54 are not directed to the GUI shown in Appellants' Figure 10.

On the other hand, independent claims 25, 29 and 54 do recite features which are shown in Appellants' Figure 5. However, none of the Figures in Flint or Freund show the specific features (shown in Figure 5) which are recited in the independent claims.

For example, Figure 5 shows a graphical user interface that displays (as recited in claim 25) a grid comprising:

- nodes (94) laid out on a first and on a second axis,
- user labels (92) corresponding to defined users, and
- resource labels (90) corresponding to the defined services and resources.

In addition, as shown in Figure 5 (and recited in claim 25),

- each user label labels nodes aligned relative to the first axis of the grid;
- each resource label labels nodes aligned relative to the second axis of the grid; and
- the nodes in the grid, corresponding to access policies for the defined users and defined services and resources for the computer network, correspond to the user and resource labels.

None of the drawings (or specifications) in either Flint or Freund disclose or suggest these features which are shown in Figure 5 and which are recited in the independent claims. Further, nowhere does the applied art include a prior art teaching, suggestion, or motivation to modify the applied references to include these recited features.

For these additional reasons, Appellants respectfully submit that the 35 U.S.C. § 103 (a) rejections with respect to claims 25-30, 45, 54 and 55 should be reversed.

Appellants' referenced ninth argument with respect to claim 26

Appellants reaffirm their referenced ninth argument that column 3, lines 31-47, of Flint referenced in the Action does not disclose or suggest a user definition component for defining a business relationship tree data structure representing a set of the defined users.

In response, the Answer refers to column 26, lines 18-50, of Freund. This portion of Freund discusses a wizard dialog (740d) which allows the user to define a "list" (763) (not a tree data structure) which includes or excludes people, computers, and/or groups thereof. Although a wizard dialog (740d) also includes an "outline list" (761) from which items can be selected, this "outline list" is only used to select items for the list (763). The "list" (763) does not correspond to a tree data structure. In addition, claim 26 specifically recites that "the user labels displayed [on the grid] by the graphical user interface correspond to the business relationship tree data structure". Nowhere does Freund disclose or suggest user labels corresponding to the either the "outline list" (761) or the "list" (763), which label access policy nodes on a grid.

For these additional reasons, Appellants respectfully submit that the 35 U.S.C. § 103 (a) rejection with respect to claim 26 should be reversed.

Appellants' referenced tenth argument with respect to claim 27

Appellants reaffirm their referenced tenth argument that: although column 3, line 61, to column 4, line 7, of Flint discloses the ability of Flint to create decision trees to represent an access rule, nowhere does Flint disclose or suggest taking the information from such a decision tree and producing a different view of the underlying data in which nodes corresponding to

access policies are included on a grid and labeled on one axis with a corresponding user label and another axis by a corresponding resource label.

In response, the Answer only refers back to arguments made previously in the Action. The Action and the Answer do not establish where each of the features recited in claim 27 are found in the prior art. For these additional reasons, Appellants respectfully submit that the 35 U.S.C. § 103 (a) rejection with respect to claim 27 should be reversed.

Appellants' referenced argument directed to claim 55

Appellants reaffirm their referenced argument directed to claim 55 that Flint and Freund do not disclose or suggest any machine capable of performing the method steps recited in claim 54.

In response, the Answer references column 7, lines 64 to column 8, line 9 of Freund. Although this portion of Freund discusses a software system (220), nowhere does Freund disclose or suggest that the software system (220) is capable of performing the method steps recited in claim 54.

For these additional reasons, Appellants respectfully submit that the 35 U.S.C. § 103 (a) rejection with respect to claim 55 should be reversed.

Appellants' referenced argument directed to claims 28, 30, and 45

Appellants reaffirm their referenced arguments directed to claims 28, 30, and 45. Appellants disagree that it would be obvious to combine Wiegel with Flint and/or Freund.

In response, the Answer refers to column 13, lines 37-50, of Wiegel. However, nowhere does Flint disclose that any of its described nodes (60, 61, 62, 62.1, 62.2, 64, 64.1, 64.2, 64.3,

64.4, 66, 68, 70, 70.1, 70.2, 72, 74, 76, 78, 80, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134 etc.) individually correspond to access policies. Further, nowhere in Column 13, lines 37-50, referenced in the Action or anywhere else in either Wiegel, Flint, or Freund is there disclosed or suggested that the specific types of nodes shown in Flint are even capable of inheriting access policies from other nodes in the grid. In addition, nowhere does Freund disclose or suggest that the access rules shown Figure 7B are capable of inheriting access rules from nodes in a grid.

Therefore, there is no prior art teaching suggestion or motivation in either Wiegel, Flint or Freund to modify Flint to include the features recited in claims 28, 30, and 45. For these additional reasons, Appellants respectfully submit that the 35 U.S.C. § 103 (a) rejections with respect to claims 28, 30, and 45 should be reversed.

CONCLUSION

Each of Appellants' pending claims specifically recites elements, features, relationships, and steps that are neither disclosed nor suggested in any of the applied prior art. Furthermore, the applied prior art is devoid of any teaching, suggestion, or motivation for producing the recited invention. For these reasons, it is respectfully submitted that all of the rejections should be reversed.

Respectfully submitted,

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